



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/600,824	09/08/2000	Gerard Joseph Wilson	CASM115748	2077

26389 7590 12/20/2001

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER

KAO, CHIH-CHENG G

ART UNIT PAPER NUMBER

2882

DATE MAILED: 12/20/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/600,824

Applicant(s)

WILSON ET AL.

Examiner

Chih-Cheng Glen Kao

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37 is/are allowed.
- 6) ☒ Claim(s) 1, 4-7, 13, 16 and 29-33 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 8-12, 14, 15, 17-28 and 34-36 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1. 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "56" in Figure 8 has been used to designate both the user's eye and the virtual image. Correction is required.

Specification

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.
3. The following guidelines illustrate the preferred layout and content for patent applications.

Arrangement of the Specification

- (a) Title of the Invention.
- (b) Cross-Reference to Related Applications.
- (c) Statement Regarding Federally Sponsored Research or Development.
- (d) Reference to a "Sequence Listing," a table, or a computer program listing appendix submitted on compact disc (see 37 CFR 1.52(e)(5)).
- (e) Background of the Invention.
 1. Field of the Invention.
 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (i) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).
- (k) Drawings.
- (l) Sequence Listing, if on paper (see 37 CFR 1.821-1.825).

Claim Objections

4. Claims 8-12 and 17-28 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim.

See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 4, 13, 29, 30, and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Jackson (WO 94/29119). Jackson discloses a security document and method of verifying the document (Title) including a first at least partially transparent portion and an optical projection element (Fig. 5a) for positioning at a collimated directional light beam source to verify an image onto a viewing surface (Fig. 4b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2882

6. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson as applied to claim 4 in view of Knight et al. (US 5,678,863). Jackson discloses a device as recited above. However, Jackson does not specifically disclose a laser, point-of-sale bar code scanner device.

Knight et al. teaches a bar code (Fig. 7).

It would have been obvious, to one having ordinary skill in art at the time the invention was made, to use a bar code scanner with the bar code of Knight for the device of Jackson, since it is well known in the art that bar code scanners are used for bar codes and are considered functionally equivalent to a light source in that they both emit electromagnetic radiation. One of ordinary skill in the art would have found it obvious to substitute a light source for the bar code scanner motivated by high-speed use as shown by Knight et al. (col. 5, line 64).

7. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson as applied to claim 13 above. Jackson discloses a device as recited above. However, Jackson does not specifically disclose diffraction in the particular invention above.

On the other hand, Jackson further discloses in the prior art, diffraction gratings used as optical projection elements (Page 1, lines 12-16).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to include the diffracting optical projection elements with the device of Jackson, since one would be motivated to have a security device that was difficult to produce (Page 1, lines 12-19).

8. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson as applied to claim 30 above. Jackson discloses a method as recited above. However Jackson does not specifically disclose white light.

The Examiner takes Official Notice that white light can be collimated light.

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to have the white light with the method of Jackson, since it is considered conventional to use white light as collimated light. This is exemplified by verifying a security document under normal lighting. One would be motivated to use white light, since it is readily available in any place that is lighted by normal lighting.

9. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson as applied to claim 29 above, and further in view of Nagase (US Patent 5,892,239). Jackson discloses a method as recited above. However, Jackson does not specifically disclose a collimator between a light source and optical projection element.

Nagase teaches a collimator (Fig. 1, #6).

It would have been obvious, to one having ordinary skill in the art at the time the invention was made, to have the collimator of Nagase between the light source and optical projection element for the method of Jackson, since one would be motivated to verify with high accuracy as shown by Nagase (col. 1, lines 34-35).

Allowable Subject Matter

10. Claim 37 is allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Prior art does not disclose or fairly suggest a folded security document such that the second at least partially transparent portion is placed between the light source and the optical projection element in order that the light beam from the light beam source passing through the second at least partially transparent portion is substantially collimated light in combination with all the limitations in the claim.

11. Claims 2, 3, 14, 15, and 34-36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 2, prior art does not disclose or fairly suggest including an opacifying portion and folding the document to impinge the pattern on the opacifying portion in combination with all the limitations in the claim and base claim.

Regarding claim 14, prior art does not disclose or fairly suggest including an opacifying portion for impingement of the patterned beam thereupon in combination with all the limitations in the claim and base claim.

Regarding claim 34, prior art does not disclose or fairly suggest the screen constituted by an opacifying portion of the security document in combination with all the limitation in the claim, intervening claims, and the base claim.

Art Unit: 2882

Regarding claim 35, prior art does not disclose or fairly suggest the window constituted by a second at least partially transparent portion of the document in combination with all the limitations in the claim, intervening claims and the base claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (703) 605-5298. The examiner can normally be reached on M - Th (8 am to 5 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703) 305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



gk
December 5, 2001



ROBERT H. KIM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800